

Notice of Allowability

Application No.

09/832,509

Examiner

Steven B. McAllister

Applicant(s)

CARTER, ODIE KENNETH

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's response of 10/29/2004 and Examiner's Amendment of 1/10/2005.
2. ☒ The allowed claim(s) is/are 15 and 16.
3. ☒ The drawings filed on 11 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Steve B. McAllister 1/10/05

**STEVE B. MCALLISTER
PRIMARY EXAMINER**

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kyle L. Elliott on 1/10/2005.

The application has been amended as follows:

IN THE SPECIFICATION:

On page 6, line 12, -- , allowed and issued as U.S. Patent 6,772,941, --.

IN THE CLAIMS:

Claims 17-33 were canceled.

The following is an examiner's statement of reasons for allowance: The most relevant pieces of prior art are: Bullivant (4,512,428) disclosing a method of counting cash via a scale and producing a running total by weighing and removing a plurality of groups of coins of a single denomination; Biss (5,756,977) disclosing an apparatus and method of updating the total of a register drawer each time it is closed by providing scales under each cup in the register; JP404023096A ('096) disclosing an apparatus

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similar to that of Biss wherein when the register drawer is closed software determines whether there is an adequate supply of each denomination via weight, and prompts the user to refill a denomination if it is too low; and Carter (6,772,941) disclosing a system and method for settling one cash drawer and simultaneously building a new cash drawer (it is noted that Carter is the same inventive entity as the present application).

No art was found disclosing prompting a user to place a cash drawer to be built on a scale and fill it by adding coins of a denomination until the system determines that no deficiency in that denomination exists, and repeating for each denomination while also updating the number of coins of each denomination in the inventory (except Carter which will be dealt with below regarding double patenting).

'096 comes closest in that it monitors an existing drawer for deficiencies in each denomination and prompts the user to fill it, but it is used in the context of an existing drawer during normal checkout operations and does not lend itself well to combination with references showing the building of a new drawer. It also does not show placing the drawer as a whole on a scale (or the prompting) or automatically updating the coin inventory values.

Biss provides similar problems since it is used in the same context and is similar in many regards. Additionally, Biss does not show monitoring denominations for deficiencies or prompting the user to correct them. Rather, it merely shows the totaling of cash in the drawer.

Bullivant shows an apparatus and method for counting and totaling coins via weight, but does not show prompting a user to place the new cash drawer on the scale,

placing the denominations in the drawer without removing the previously counted money, updating an inventory automatically, etc. While a scale such as that in Bullivant could be used in the present method, no teaching of the method steps is shown.

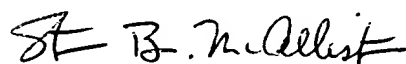
Regarding Carter, double patenting is not proper because the claimed invention of Carter '941 is distinct from the present invention, although based in a similar art. The claims of '941 disclose placing a new drawer on a scale; removing cash of a denomination from the old drawer being settled and placing it in the new drawer; weighing the cash placed in the drawer and calculating the amount placed in the drawer until target amounts have been met for each denomination. It also shows weighing any cash left in the drawer being settled after the new drawer has been filled and determining a total in the drawer being settled by adding the total of the amount placed in the new drawer and the amount of remaining cash. Assuming that the old cash drawer is interpreted as the "coin inventory" of the present application, Carter does substantially show steps b, c, d, f, g and h. It does not show receiving an input regarding an initial number of each of the coin denominations; and updating automatically the initial number of coins of each denomination in light of the coins removed to fill the new drawer. Further, even were a reference supplied to show such a teaching, it would essentially teach away from the claimed method of '941 because the point of the method is to determine the amount in the drawer being settled. The steps of weighing the "remaining currency" and creating a total using that number would be pointless if an initial total of coins in the drawer were provided and updated each time some were moved from the old drawer to the new drawer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. McAllister whose telephone number is (703) 308-7052. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P. Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven B. McAllister

STEVE B. MCALLISTER
PRIMARY EXAMINER